

**RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
ANIMAL INDUSTRY DIVISION**

**CHAPTER 40-13-10  
POULTRY**

**TABLE OF CONTENTS**

40-13-10.01 Definitions	40-13-10.06 Sanitation
40-13-10.02 Poultry Carcasses	40-13-10.07 Control and Eradication of Infectious or Contagious Diseases
40-13-10.03 Poultry Flock Hatchery and Dealer Regulations	40-13-10.08 Quarantine and Seizure
40-13-10.04 Licensing	40-13-10.09 Violations
40-13-10.05 Records	

**40-13-10.01 Definitions. Amended.**

As used in this Chapter, the term:

- (a) "Dealer" or "broker" means any person, firm, or corporation engaged in the business of buying live poultry of any kind for resale or in selling live poultry of any kind bought for the purpose of resale. Every agent acting for or on behalf of any dealer, broker, or poultry market operator is a dealer or broker, provided that any farmer acquiring poultry solely for the purpose of rearing and feeding such poultry as a part of his or her farm operations is not a "dealer" or "broker."
- (b) "Person" means any person, firm, corporation, association, cooperative, or combination thereof.
- (c) "Poultry" means any bird included in the orders Galliforme, Anseriforme, Columbiforme, and Ratitae. Galliforme includes birds such as chickens, pheasants, chuckers, quail and turkeys. Anseriforme includes water fowl such as geese and ducks. Columbiforme includes birds such as pigeons and doves. Ratitae includes birds such as ostrich, emu, and rhea.
- (d) "Poultry market operator" means any person engaged in the business of operating public auctions or sales of live poultry or of operating barns and yards for the containment of live poultry held for the purpose of auction or sale.
- (e) "Sales establishment" means any yard, barn, or other premises where live poultry is offered for sale, auction, or exchange.

*Authority O.C.G.A., Sec. 4-04-80 et seq. **Administrative History.** Original Rule entitled "Poultry Carcasses" was filed and effective on June 30, 1965. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 1, 1970; effective April 20, 1970. **Amended:** Rule repealed and a new Rule entitled "Definitions" adopted. Filed September 1, 1987; effective September 21, 1987.*

**40-13-10.02 Poultry Carcasses. Amended.**

(1) The premises of each person growing poultry for himself or others including turkeys, commercial eggs, hatching eggs and broilers for commercial purposes is hereby quarantined upon the placing of any dead poultry carcass (when death results from other than in connection with the slaughter thereof) in other than a disposal pit or incinerator approved by the Commissioner of Agriculture. Such quarantine shall not be applicable to any person growing poultry who provides and maintains a method of disposal of dead poultry carcasses that has been approved by the Commissioner of Agriculture as satisfactory to him to prevent the spread of disease.

(2) To aid in the enforcement of the laws of this State, and these regulations, the Commissioner of Agriculture shall issue to each person growing poultry for himself or others, a certificate of compliance with the provisions of the laws relating to disease prevention and these regulations, when the grower:

(a) provides and maintains a disposal pit of a size and design adequate to dispose of dead poultry carcasses wherein all dead poultry carcasses are disposed of in a manner approved by the Commissioner of Agriculture to prevent the spread of disease; or (b) provides and maintains method of disposal of dead poultry carcasses that has been approved by the Commissioner of Agriculture as satisfactory to him to prevent the spread of disease.

(3) The Commissioner of Agriculture shall determine the form and contents of the certificate issued to the grower. The certificate shall be numbered and shall be valid until cancelled or revoked by the Commissioner. The violation of any of these regulations shall be sufficient grounds for the revocation, cancellation or suspension of the certificate provided herein or the license of the poultry processing plant, after notice and hearing.

(4) Disposal pits or incinerators shall be constructed in a manner and be of a design capable of providing a method of disposal of dead poultry carcasses in a manner to prevent the spread of disease. Each such pit shall be utilized in such manner as to dispose of the contents thereof effectively. Disposal pits shall be of a design and constructed in a manner approved by the Commissioner.

(5) No poultry processing plant shall purchase poultry from any poultry grower unless the grower shall submit proof, prior to purchase or delivery, of compliance with the provisions of these regulations. Receipt by the purchaser of the Number of the Certificate shall be sufficient compliance with this regulation. The invoice or other writing executed by the processing plant in connection with each purchase of poultry shall have the Certificate number of the grower written or otherwise indicated thereon.

*Authority Ga. L. 1956, p. 195, p. 748; Ga. L. 1959, p. 168. **Administrative History.** Original Rule entitled "Poultry Flock, Hatchery and Dealers Regulations" was filed and effective on June 30, 1965. **Amended:** Rule repealed and a new Rule of the same titled adopted. Filed April 1, 1970; effective April 20, 1970. **Amended:** Filed August 31, 1976; effective September 20, 1976. **Amended:** Rule repealed and a new Rule entitled "Poultry Carcasses" adopted. Filed September 1, 1987; effective September 21, 1987.*

#### **40-13-10-.03 Poultry Flock, Hatchery and Dealer Regulations.**

(1) The specification, rules and regulations, and requirements of the Georgia Poultry Improvement Association, Inc., the designated Official State Agency, are hereby adopted as the regulations of the Georgia Department of Agriculture. By authority of the Secretary of State, in accordance with the Administrative Procedures Act, copies of the above rules and regulations are on file with the State Veterinarian and are available on request.

(a) Full authority for the control, suppression and eradication of pullorum and typhoid in poultry in this State is hereby vested in the Georgia Department of Agriculture; and, without limiting the generality of the foregoing provision, it shall be a cooperative venture between the Georgia Poultry Improvement Association and the Georgia Department of Agriculture to administer the applicable provisions.

(b) All poultry hatcheries and hatchery supply flocks within the State must qualify as U.S. Pullorum-Typhoid Clean or meet equivalent requirements for pullorum-typhoid control under official supervision.

(c) All shipments of products other than U.S. Pullorum-Typhoid clean, or equivalent, into the State are prohibited.

(d) Whenever a veterinarian or other person performing disease diagnostic services has knowledge or reason to suspect that pullorum or typhoid exists in a poultry flock or hatchery, he shall, within 48 hours, give notice of such fact to the Georgia Department of Agriculture and the Georgia Poultry Improvement Association.

(e) Upon receipt of a report of pullorum or typhoid in poultry, an immediate investigation by an authorized representative to determine the origin and avenue of transmission of the infection shall be instituted. Authorized representatives of the Georgia Department of Agriculture and the Georgia Poultry Improvement Association may enter any place or premises for such inspection or investigation as may be reasonably necessary for these determinations.

(f) Flocks deemed to be infected with pullorum or typhoid shall be quarantined by the Georgia Department of Agriculture. Quarantined flocks or any portion thereof shall not be removed from the premises where the infection was detected except with the written permission of the Georgia Department of Agriculture on the recommendation of the Georgia Poultry Improvement Association.

(g) All poultry shown in public exhibition in this State shall have originated from U.S. Pullorum-Typhoid Clean or equivalent flocks or have had a negative pullorum-typhoid test within 90 days of the movement to the public exhibition.

(2) In addition to the requirement of compliance with the rules and regulations of the Official State Agency adopted herein, the following rules and regulations shall be complied with:

(a) Flock Requirements.

1. All flocks from which hatching eggs are set in any Georgia hatchery must be in compliance with the current pullorum-typhoid provisions of the National Poultry Improvement Plan.

2. Testing must be done by persons duly authorized and appointed by the Georgia Department of Agriculture upon the recommendation of the Georgia Poultry Improvement Association. Such persons shall have demonstrated their ability to perform the duties of pullorum-typhoid testing to the satisfaction of the Georgia Department of Agriculture in concurrence with the Georgia Poultry Improvement Association under actual working conditions before receiving their appointment.

3. No dealer, broker or poultry market operator may be authorized and appointed by the Georgia Department of Agriculture to perform pullorum-typhoid testing.

4. Each bird tested in flock for the production of hatching eggs must be leg banded at time of testing with sealed and numbered band and reported within ten (10) days following test to the Official State Agency on forms provided for this purpose. All adult domesticated fowl on premises where breeder flocks are located must be tested to meet the same testing requirements of such breeder flocks. They shall be housed separate to breeding birds and reported to the Official State Agency on separate forms furnished by the Official State Agency.

5. The Georgia Department of Agriculture adopts the USDA-APHIS 9 code of Federal Regulations Parts 71 and 82 with reference to Salmonella enteritidis serotype enteritidis. The requirements and restrictions which apply to interstate shipment will also apply to intrastate shipments. Future changes in the 9 Code of Federal Regulations Parts 71 and 82 with reference to Salmonella enteritidis serotype enteritidis will be included in these regulations.

(b) Hatcheries and Dealers:

1. Georgia hatcheries shall set eggs only from flocks that meet the requirements as stipulated in Section (a) of these rules and regulations except eggs may be set from out-of-state sources, provided the producer or shipper has a valid and current Georgia approval number, issued by the Official State Agency, in effect and such number appears on each case or container of eggs purchased.

2. No hatchery or hatchery egg dealer shall purchase for resale hatching eggs, baby chicks, poults or poultry breeding stock from out-of-state sources unless the producer or shipper has a Georgia approval number to ship into this State and this number appears on each container of the product purchased.

3. Reserved.

4. All eggs in incubator and hatching trays must be identified as to source.

5. Hatcheries and dealer shall keep records of purchases and sales of poultry products handled in a manner satisfactory to the State Department of Agriculture and the Official State Agency. These records shall be subject to inspection at any reasonable time.

6. Hatchery sanitation shall be maintained in a manner satisfactory to the Department of Agriculture and the Official State Agency at all times.

7. Whenever any condition is revealed to exist which is not in strict accord with these Rules and Regulations, the license may be revoked, cancelled or suspended by the Commissioner of Agriculture following notice and hearing.

8. The Georgia Department of Agriculture adopts the USDA-APHIS 9 code of Federal Regulations Parts 71 and 82 with reference to Salmonella enteritidis serotype enteritidis. The requirements and restrictions which apply to interstate shipment will also apply to intrastate shipments. Future changes in the 9 Code of Federal Regulations Parts 71 and 82 with reference to Salmonella enteritidis serotype enteritidis will be included in these regulations.

*Authority Ga. L. 1946, pp. 147, 150; O.C.G.A. Sec. 4-7-1 et seq. Administrative History. Original Rule entitled "Poultry Flock, Hatchery and Dealer Regulations" was filed on September 1, 1987; effective September 21, 1987. Amended: F. Jan. 24, 1991; eff. Feb. 13, 1991.*

#### **40-13-10-.04 Licensing.**

(1) No dealer, broker or poultry market operator shall engage in or carry on such business without first applying for and obtaining a license from the Commissioner.

(2) The term of said license shall be ~~from July 1, to June 30~~ for one year from the date of issue.

(3) The fee for said license shall be \$25.00 per annum.

*Authority O.C.G.A. Sec. 4-4-82 et seq. Administrative History. Original Rule entitled "Licensing" was filed on September 1, 1987; effective September 21, 1987.*

#### **40-13-10-.05 Records.**

(1) No dealer, broker or poultry market operator shall buy, store or otherwise receive any poultry without first recording:

- (a) the name and address of person or persons from whom poultry is received;
- (b) the number and type of such poultry;
- (c) the license tag number of the vehicle used to transport such poultry.

(2) No dealer, broker or poultry market operator shall sell any poultry to any person without first recording the name and address of the person buying such poultry.

(3) All records must be maintained for a period of two (2) years.

(4) Such records shall be made available for review by the Commissioner or his duly authorized agent.

*Authority O.C.G.A. Sec. 4-4-82 et seq. Administrative History. Original Rule entitled "Records" was filed on September 1, 1987; effective September 21, 1987.*

#### **40-13-10-.06 Sanitation.**

(1) All dealers, brokers or poultry market operators who transport live poultry shall keep all cages, coops, trucks and trailers clean and sanitary. All equipment used to transport live poultry shall be cleaned and disinfected after each use.

(2) All dealers, brokers and poultry market operators shall have a poultry disposal pit or incinerator which has been approved by the Commissioner or his duly authorized agent. Such pit or incinerator shall be used to dispose of dead poultry.

*Authority O.C.G.A. Sec. 4-4-82 et seq. Administrative History. Original Rule entitled "Sanitation" was filed on September 1, 1987; effective September 21, 1987.*

**40-13-10-.07 Control and Eradication of Infectious or Contagious Diseases.**

(1) No dealer, broker or poultry market operator, or other person shall sell, auction, transfer or move any poultry which is infected or exposed to a highly infectious or contagious disease or which has been placed under quarantine by the authority of the Commissioner until such poultry has been inspected by a veterinarian accredited by the United States Department of Agriculture.

(2) All dealers, brokers and poultry market operators or any other person must have infected or exposed poultry or poultry which is likely to have been exposed to infection inspected by a USDA accredited veterinarian.

(a) Any such poultry shall be reported to the Department of Agriculture.

(b) A representative sample of such poultry shall be submitted to a State diagnostic laboratory.

(3) When an infectious or contagious disease has been diagnosed, any poultry movement must be approved by the Commissioner or his duly authorized agent.

(a) Any poultry moved from an infected, exposed or quarantined premise, shall be moved by a method approved by the Department of Agriculture.

(b) Any litter from an infected, exposed or quarantined premise shall be moved by a method approved by the Department of Agriculture.

(c) Any equipment moved from an infected, exposed or quarantined premise shall be cleaned and disinfected prior to movement.

(d) All equipment, including but not limited to trucks, tractors, coops and cages, used to move poultry, litter or equipment from infected, exposed or quarantined premise shall be cleaned and disinfected after such use.

(4) All poultry shall be housed or maintained in a sanitary condition as to prevent the spread of an infectious or contagious disease.

*Authority O.C.G.A. Sec. 4-4-81 et seq.; 4-4-83 et seq. Administrative History. Original Rule entitled "Control and Eradication of Infectious or Contagious Diseases" was filed on September 1, 1987; effective September 21, 1987.*

**40-13-10-.08 Quarantine and Seizure.**

(1) The Commissioner or his duly authorized agent is authorized to quarantine:

(a) a premise when an infectious or contagious disease is diagnosed;

(b) poultry which have been exposed to an infectious or contagious disease;

(c) a premise in which unsanitary conditions may contribute to the cause or spread of an infectious or contagious disease.

(2) The Commissioner or his duly authorized agent may inspect any poultry and/or premise in which an infectious or contagious disease or unsanitary conditions are present or likely to be present.

(3) The Commissioner is authorized, at his discretion, to confiscate and destroy any poultry, hatching eggs, chicks or breeding stock which is infected with any contagious or infectious disease. Indemnity may be paid provided funds are available.

*Authority O.C.G.A. Sec. 4-4-83. Administrative History. Original Rule entitled "Quarantine and Seizure" was filed on September 1, 1987; effective September 21, 1987.*

**40-13-10-.09 Violation.**

(1) Any dealer, broker, poultry market operator or any other person who violates any provisions of this Chapter or any quarantine order shall be guilty of a misdemeanor.

(2) Any licensed dealer, broker or poultry market operator violating any rule or regulation of this Chapter shall be subject to revocation or suspension of such license following notice and hearing.

*Authority O.C.G.A. Sec. 4-4-82 et seq.; 4-4-84 et seq. **Administrative History.** Original Rule entitled "Violation" was filed on September 1, 1987; effective September 21, 1987.*